

REMARKS/ARGUMENTS

Claims 1, 4-20, and 24-25 are pending. By this Amendment, claims 1, 4-6, 12, and 24-25 are amended, and claims 3 and 23 have been canceled without prejudice or disclaimer. No new matter has been added. Support for claims can be found throughout the specification, including the original claims, and the drawings. Reconsideration in view of the above amendments and following remarks is respectfully requested.

The Office Action rejected claims 1, 7, and 8 under 35 U.S.C. §103(a) as being unpatentable over Kopko, U.S. Patent No 6,286,326, in view of Kim et al. (hereinafter “Kim”), U.S. Patent No. 5,987,904 and Chung, U.S. Patent No. 5,156,015. The rejection is respectfully traversed.

Independent claim 1 recites, *inter alia*, wherein the first and second open/close parts each comprises a supporting plate having a plurality of openings, the supporting plate being arranged above or below the fan and the evaporator, respectively; and a plurality of rotating plates, each having one side coupled to the supporting plate by hinges, and the other side being rotatable upward by a predetermined angle, wherein each of the plurality of rotating plates is independently coupled to the supporting plate without a connection to others of the plurality of rotating plates, wherein the plurality of rotating plates of the first open/close part is configured to rotate upwardly in a direction opposite to a location of the fan and the plurality of rotating plates of the second open/close part is configured to rotate upwardly in a direction toward the location of the fan when the air is directed upwardly by the fan during cooling so that the space

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communicates with the refrigerating chamber and the freezing chamber simultaneously, and wherein the plurality of rotating plates of the first open/close part is configured to rotate downwardly toward the location of the fan and the plurality of rotating plates of the second open/close part is configured to rotate downwardly in a direction opposite to the location of the fan when the air is directed downwardly by the fan during the defrosting so that the space is prevented from communicating with the refrigerating chamber and the freezing chamber simultaneously. Kopko, Kim, and Chung, taken alone or in combination, fail to disclose or suggest such features, or the claimed combination of independent claim 1.

Accordingly, the rejection of independent claim 1 over Kopko, Kim, and Chung should be withdrawn. Dependent claim 7-8 are allowable over Kopko, Kim, and Chung at least for the reasons discussed above with respect to independent claim 1, from which they depend, as well as for their added features.

The Office Action rejected claims 3-6 under 35 U.S.C. §103(a) as being unpatentable over Kopko as modified by Kim and Chung, and further in view of Reed, U.S. Patent No. 2,191,774. Claim 3 has been canceled and its features added to independent claim 1. The rejection is respectfully traversed.

Dependent claims 4-6 are allowable over Kopko, Kim, and Chung at least for the reasons discussed above with respect to independent claim 1, from which they depend, as well as for their added features. Reed fails to overcome the deficiencies of Kopko, Kim, and Chung as it is merely cited for allegedly teaching a plurality of thin rotating plates each having one side coupled

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to the supporting plate by a hinge, and the other side rotatable upward by a predetermined angle to open the openings; wherein the rotating plate covers an upper circumference of the respective opening to cover the opening; and wherein the rotating plate is held by a rear end of an adjacent rotating plate and the supporting plate to prevent the plate from rotating downward. Accordingly, the rejection of claims 4-6 over Kopko, Kim, Chung, and Reed should be withdrawn.

The Office Action rejected claim 9 under 35 U.S.C. §103(a) as being unpatentable over Kopko as modified by Kim (and Chung), and further in view of Block, U.S. Patent Publication No. 2002/0192075. The rejection is respectfully traversed.

Dependent claim 9 is allowable over Kopko and Kim (and Chung) at least for the reason discussed above with respect to independent claim 1, from which it depends, as well as for its added features. Block fails to overcome the deficiencies of Kopko, Kim, and Chung, as it is merely cited for allegedly teaching a defrost heater fabricated as one unit with a fan. Accordingly, the rejection of dependent claim 9 over Kopko, Kim, Chung, and Block should be withdrawn.

The Office Action rejected claim 10 under 35 U.S.C. §103(a) as being unpatentable over Kopko as modified by Kim and Chung, and further in view of Carlstedt et al. (hereinafter "Carlstedt"), U.S. Patent No. 5,765,384. The rejection is respectfully traversed.

Dependent claim 10 is allowable over Kopko, Kim, and Chung at least for the reasons discussed above with respect to independent claim 1, from which it depends, as well as for its

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added features. Carlstedt fails to overcome the deficiencies of Kopko, Kim, and Chung as it is merely cited for allegedly teaching a hot wire that functions as a resistance body connected to a power source for emission of heat, and a film of an electrical insulating material surrounding the hot wire. Accordingly, the rejection of claim 10 over Kopko, Kim, Chung, and Carlstedt should be withdrawn.

The Office Action rejected claim 11 under 35 U.S.C. §103(a) as being unpatentable over Kopko as modified by Kim (and Chung), and further in view of Schenk et al. (hereinafter “Schenk”), U.S. Patent No. 6,694,754. The rejection is respectfully traversed.

Dependent claim 11 is allowable over Kopko and Kim (and Chung) at least for the reason discussed above with respect to independent claim 1, from which it ultimately depends, as well as for its added features. Schenk fails to overcome the deficiencies of Kopko, Kim, and Chung, as it is merely cited for allegedly teaching a plurality of fins in contact with a refrigerant pipe. Accordingly, the rejection of dependent claim 11 over Kopko, Kim, Chung, and Schenk should be withdrawn.

The Office Action rejected claims 12 and 22 under 35 U.S.C. §103(a) as being unpatentable over Kopko in view of Kim, Schenk, and Chung. It is noted that claim 22 was canceled in the Amendment filed December 10, 2009. The rejection is respectfully traversed in so far as it applies to claim 12.

Independent claim 12 recites, *inter alia*, wherein the first and second open/close parts each comprises a supporting plate having a plurality of openings, the supporting plate being

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arranged above or below the fan and the evaporator, respectively; and a plurality of rotating plates, each having one side coupled to the supporting plate by hinges, and the other side being rotatable upward by a predetermined angle, wherein each of the plurality of rotating plates is independently coupled to the supporting plate without a connection to others of the plurality of rotating plates, wherein the plurality of rotating plates of the first open/close part is configured to rotate upwardly in a direction opposite to a location of the fan and the plurality of rotating plates of the second open/close part is configured to rotate upwardly in a direction toward the location of the fan when the air is directed upwardly by the fan during cooling so that the space communicates with the refrigerating chamber and the freezing chamber simultaneously, and wherein the plurality of rotating plates of the first open/close part is configured to rotate downwardly toward the location of the fan and the plurality of rotating plates of the second open/close part is configured to rotate downwardly in a direction opposite to the location of the fan when the air is directed downwardly by the fan during the defrosting so that the space is prevented from communicating with the refrigerating chamber and the freezing chamber simultaneously. Kopko, Kim, Schenk, and Chung, taken alone or in combination, fail to disclose or suggest such features, or the claimed combination of independent claim 12. Accordingly, the rejection of independent claim 12 over Kopko, Kim, Schenk, and Chung should be withdrawn.

The Office Action rejected claims 13 and 20 under 35 U.S.C. §103(a) as being unpatentable over Kopko as modified by Kim, Schenk, and Chung, and further in view of Carlstedt. The rejection is respectfully traversed.

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Dependent claims 13 and 20 are allowable over Kopko, Kim, Schenk, and Chung at least for the reasons discussed above with respect to independent claim 12, from which they depend, as well as for their added features. Carlstedt fails to overcome the deficiencies of Kopko, Kim, Schenk, and Chung, as it is merely cited for allegedly teaching a hot wire that functions as a resistance body connected to a power source for emission of heat; a film of an electrical insulating material surrounding the hot wire; and wherein at least a portion of the plurality of fins have insertion slots in side surfaces configured to receive the defrost heater. Accordingly, the rejection of claims 13 and 20 over Kopko, Kim, Schenk, Chung, and Carlstedt should be withdrawn.

The Office Action rejected claim 14 under 35 U.S.C. §103(a) as being unpatentable over Kopko as modified by Kim, Schenk, Carlstedt, and Chung, and further in view of Lindseth, U.S. Patent No. 2,000,467. The rejection is respectfully traversed.

Dependent claim 14 is allowable over Kopko, Kim, Schenk, Chung, and Carlstedt at least for the reasons discussed above with respect to dependent claim 13, from which it depends, as well as for its added features. Lindseth fails to overcome the deficiencies of Kopko, Kim, Schenk, Chung, and Carlstedt, as it is merely cited for allegedly teaching that the hot wire is a carbon hot wire. Accordingly, the rejection of dependent claim 14 over Kopko, Kim, Schenk, Chung, Carlstedt, and Lindseth should be withdrawn.

The Office Action rejected claims 15 and 16 under 35 U.S.C. §103(a) as being unpatentable over Kopko as modified by Kim, Schenk, Chung, and Carlstedt, and further in

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view of Komatsu, U.S. Patent No. 5,594,585. The rejection is respectfully traversed.

Dependent claims 15 and 16 are allowable over Kopko, Kim, Schenk, Chung, and/or Carlstedt at least for the reasons discussed above with respect to independent claim 12 and dependent claim 13, from which they respectively depend, as well as for their added features. Komatsu fails to overcome the deficiencies of Kopko, Kim, Schenk, Chung, and/or Carlstedt, as it is merely cited for allegedly teaching a film formed of PET material, and wherein the defrosting heater is a PTC device. Accordingly, the rejection of claims 15 and 16 over Kopko, Kim, Schenk, Chung, and/or Carlstedt, and Komatsu should be withdrawn.

The Office Action rejected claims 17 and 18 under 35 U.S.C. §103(a) as being unpatentable over Kopko as modified by Kim, Schenk, and Chung, and further in view of Kobayashi et al. (hereinafter “Kobayashi”), U.S. Patent No. 4,369,350. The rejection is respectfully traversed.

Dependent claims 17-18 are allowable over Kopko, Kim, Schenk, and Chung at least for the reasons discussed above with respect to independent claim 12, from which they depend, as well as for their added features. Kobayashi fails to overcome the deficiencies of Kopko, Kim, Schenk, and Chung, as it is merely cited for allegedly teaching a defrost heater attached to at least one side of a plurality of fins. Accordingly, the rejection of claims 17-18 over Kopko, Kim, Schenk, Chung, and Kobayashi should be withdrawn.

The Office Action rejected claim 19 under 35 U.S.C. §103(a) as being unpatentable over Kopko as modified by Kim, Schenk, Chung, and further in view of Seipp et al. (hereinafter

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“Seipp”), U.S. Patent No. 4,369,350. The rejection is respectfully traversed.

Dependent claim 19 is allowable over Kopko, Kim, Schenk, and Chung at least for the reasons discussed above with respect to independent claim 12, from which it depends, as well as for its added features. Seipp fails to overcome the deficiencies of Kopko, Kim, Schenk, and Chung, as it is merely cited for allegedly teaching a defrost heater having pass through holes for the at least one refrigerant pipe. Accordingly, the rejection of claim 19 over Kopko, Kim, Schenk, Chung, and Seipp should be withdrawn.

The Office Action rejected claims 23-25 under 35 U.S.C. §103(a) as being unpatentable over Kopko as modified by Kim, Schenk, and Chung, and further in view of Reed. Claim 23 has been canceled and its features added to independent claim 12. The rejection is respectfully traversed in so far as it applies to claims 24-25.

Dependent claims 24-25 are allowable over Kopko, Kim, Schenk, Chung, and/or Carlstedt at least for the reasons discussed above with respect to independent claim 12, from which they depend, as well as for their added features. Reed fails to overcome the deficiencies of Kopko, Kim, Schenk, and/or Carlstedt, as it is merely cited for allegedly teaching a plurality of thin rotating plates each having one side coupled to the supporting plate by a hinge, and the other side rotatable upward by a predetermined angle to open the openings; and wherein the rotating plate covers an upper circumference of the respective opening to close the opening. Accordingly, the rejection of claims 24-25 over Kopko, Kim, Schenk, Chung, and/or Carlstedt, and Reed should be withdrawn.

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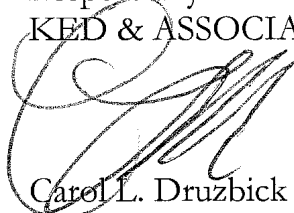
CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. §1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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